

REMARKS

Summary of the Amendment

Upon entry of the above amendment, claims 2, 3, 5, 7 - 13, 15, 22, 24, and 25 will have been amended, new claims 45 - 50 will have been entered for consideration by the Examiner, and claim 1 will have been canceled without prejudice or disclaimer. Accordingly, claims 2 - 13, 15 - 37, and 39 - 44 currently remain pending.

Summary of the Official Action

In the instant Office Action, the Examiner has indicated that claims 16 - 24 and 39 - 44 are allowed, and that claims 2 and 37 contain allowable subject matter and would be allowable if presented in an independent form that include the features of its respective base claim and intervening claim. Further, the Examiner has rejected claims 1, 3 - 13, 15, and 25 - 36 over the art of record. By the present amendment and remarks, Applicants submit that the rejections have been overcome, and respectfully request reconsideration of the outstanding Office Action and allowance of the present application.

Acknowledgment of Allowability and Allowable Subject Matter

Applicants gratefully acknowledge the Examiner's indication that claims 16 - 24 and 39 - 44 are allowed.

Further, Applicants gratefully acknowledge the indication that claims 2 and 37 contain allowable subject matter and would be allowable if presented in an independent form that include the features of its respective base claim and intervening claim. However, Applicants

note that claim 37 was presented in independent and allowable form in their previous response, such that claim 37 should be allowed. Accordingly, Applicants request that the Examiner confirm the allowance of claim 37 in the next official communication.

By the present amendment, claim 2 has been presented in independent and allowable form. Accordingly, Applicants request that the Examiner likewise confirm the allowance of claim 2 in the next official communication.

Amendments to Claims

As noted above, Applicants note that claim 2 has been presented in independent and allowable form. Further, as this amendment has been made merely to place allowable subject matter into allowable form, Applicants submit that the instant amendment does not limit the scope of the invention, nor has the amendment been made to address or overcome any documents of record. Accordingly, Applicants submit that no estoppel should be deemed to attach.

Further, Applicants have canceled independent claim 1 without prejudice or disclaimer and have correspondingly amended the dependent claims of canceled claim 1 to depend from new independent claim 2. Accordingly, these claims are likewise in condition for allowance as they depend from an allowable base claim. Claims 22 and 24, which were placed into independent forms in Applicants' previous amendment, have now been presented as dependent claims of independent and allowable claim 2.

Moreover, independent claim 25 has been amended to even more clearly recite that, in the process of forming the belt of the instant invention, the metallic material is exposed on at least one surface of the sealing belt.

Accordingly, Applicants request favorable consideration of the pending claims.

Traversal of Rejection Under 35 U.S.C. § 102(b)

1. Over Magee

Applicants traverse the rejection of claims 1, 3 - 6, 13, 15, 22 - 27, 30, 31, and 36 under 35 U.S.C. § 102(b) as being anticipated by MAGEE (Great Britain Application No. 2,128,548). The Examiner asserts that MAGEE discloses a conveyor belt that includes a matrix of woven stainless steel that is imbedded in a plastic material to provide a liquid impervious surface on both sides. The Examiner asserts that the metallic weave is equivalent to the claimed plurality of metallic long-chain supports. Applicants traverse the Examiner's assertions.

By the present amendment, independent claim 1 has been canceled without prejudice or disclaimer. Accordingly, the rejection of independent claim 1 over MAGEE is moot. Further, Applicants note that claims 3 - 6, 13, 15, and 22 - 24 have been amended to depend from independent and allowable claim 2.

Accordingly, Applicants submit that claims 3 - 6, 13, 15, and 22 - 24 are allowable over the art of record at least for the reason that these claims depend from an allowable base

claim and because these claims recite additional features that further define the invention over the art of record.

Therefore, Applicants request that the Examiner acknowledge the same in the next official communication.

Applicants' independent claim 25, as now amended, recites, *inter alia*, forming a sheet from a *plurality of long-chain strength supports* composed of a *metallic material*, the sheet comprising a plurality of interstices disposed between the long-chain strength supports, and at least partially filling the interstices with a filler, whereby the *sheet is made fluid impermeable to form a sealing belt for a dryer device in a paper machine*, and *at least one surface of the sealing belt is formed to expose at least a portion of the metallic material*. Applicants submit that MAGEE fails to anticipate at least the above-noted features of the instant invention.

In particular, Applicants note that MAGEE discloses an impregnated metal belt for the production of food, which is disclosed as an improvement over previous belts that were formed of polypropylene or natural material because of the reduced tendency to stretch or shrink during use. According to the Examiner, because the metallic weave of MAGEE provides the supporting material for the belt, the metallic weave is equivalent to the claimed plurality of metallic long-chain supports.

Applicants traverse the Examiner's assertions. Initially, Applicants note that the

instant rejection is an anticipation rejection under 35 U.S.C. § 102(b), which requires that the applied art disclose each and every recited feature of the claims. As the Examiner's rejection does not assert that the recited plurality of metallic long-chain supports are disclosed by MAGEE, Applicants submit that this document cannot support a rejection of anticipation under 35 U.S.C. § 102(b).

In addition to this defect of the instant rejection, Applicants note that independent claim 25 has been amended to further recite that the belt is formed as a sealing belt, and that at least a portion of the metallic material is exposed on at least one surface side of the sealing belt, neither of which is disclosed by MAGEE.

Because MAGEE does not disclose at least the above-noted features of the invention, Applicants submit that this document fails to disclose each and every recited feature of the claims. Therefore, Applicants submit that MAGEE fails to establish an adequate evidentiary basis to support a rejection of anticipation under 35 U.S.C. § 102(b), and that the instant rejection is improper and should be withdrawn.

Accordingly, Applicants request that the Examiner likewise indicate the allowability of independent claim 25 in the next official communication.

Further, Applicants submit that claims 26, 27, 30, 31, and 36 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicants

submit that MAGEE fails to anticipate, *inter alia*, the filler comprises a plastic, as recited in claim 26; the long-chain strength supports comprise a metal, as recited in claim 27; smoothing at least one surface of the sheet after filling the sheet, as recited in claim 30; the filler comprises a liquid, as recited in claim 31; and the forming further comprises weaving the long-chain strength supports, as recited in claim 36.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claims 3 - 6, 13, 15, 22 - 27, 30, 31, and 36 under 35 U.S.C. § 102(b) and indicate that these claims are allowable.

2. Over Plyler

Applicants traverse the rejection of claims 1, 3 - 6, 13, 15, 22 - 31, and 36 under 35 U.S.C. § 102(b) as anticipated by PLYLER (U.S. Patent No. 3,518,104). The Examiner asserts that PLYLER shows a coated casting belt for making sheet products, and that the belt is a flexible, open mesh metal wire belt provided with a silicone compound to close the interstices of the mesh. The Examiner asserts that the metal mesh is equivalent to the claimed plurality of metallic long-chain supports. Applicants traverse the Examiner's assertions.

For the reasons set forth above, in light of the cancellation of independent claim 1 without prejudice or disclaimer, the rejection of independent claim 1 is now moot. Further, as claims 3 - 6, 13, 15, and 22 - 24 now depend from independent and allowable claim 2,

Applicants submit that each of these claims are likewise allowable, not only because each claim depends from an allowable base claim, but also because each claim recites additional features that further defines the invention.

Moreover, with regard to at least independent claim 25, Applicants submit that PLYLER fails to anticipate at least the above-noted features of the instant invention.

In particular, Applicants note that PLYLER discloses an impregnated metal belt for use in the production of foam sheet products. According to the Examiner, because the metal mesh of PLYLER provides the supporting material for the belt, the metal mesh is equivalent to the claimed plurality of metallic long-chain supports.

Applicants traverse the Examiner's assertions. Initially, Applicants note that the instant rejection is an anticipation rejection under 35 U.S.C. § 102(b), which requires that the applied art disclose each and every recited feature of the claims. As the Examiner's rejection does not assert that the recited plurality of metallic long-chain supports are disclosed by PLYLER, Applicants submit that this document cannot support a rejection of anticipation under 35 U.S.C. § 102(b).

In addition to this defect of the instant rejection, and as discussed above with regard to MAGEE, Applicants note that independent claim 25 has been amended to further recite that the belt is formed as a sealing belt, and that at least a portion of the metallic material is exposed on at least one surface side of the sealing belt, neither of which is disclosed by

PLYLER.

Because PLYLER does not disclose at least the above-noted features of the invention, Applicants submit that this document fails to disclose each and every recited feature of the claims. Therefore, Applicants submit that PLYLER fails to establish an adequate evidentiary basis to support a rejection of anticipation under 35 U.S.C. § 102(b), and that the instant rejection is improper and should be withdrawn.

Accordingly, Applicants request that the Examiner likewise indicate the allowability of independent claim 25 in the next official communication.

Further, Applicants submit that claims 26 - 31 and 36 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicants submit that PLYLER fails to anticipate, *inter alia*, the filler comprises a plastic, as recited in claim 26; the long-chain strength supports comprise a metal, as recited in claim 27; the filling further comprises dipping the sheet into a liquid filler, as recited in claim 28; the filling further comprises spraying the sheet with a liquid filler, as recited in claim 29; smoothing at least one surface of the sheet after filling the sheet, as recited in claim 30; the filler comprises a liquid, as recited in claim 31; and the forming further comprises weaving the long-chain strength supports, as recited in claim 36.

Accordingly, Applicants request that the Examiner reconsider and withdraw the

rejection of claims 3 - 6, 13, 15, 22 - 31, and 36 under 35 U.S.C. § 102(b) and indicate that these claims are allowable.

Traversal of Rejection Under 35 U.S.C. § 103(a)

1. Over Magee or Plyler

Applicants traverse the rejection of claims 7 - 12 under 35 U.S.C. § 103(a) as being unpatentable over MAGEE or PLYLER.

As discussed above, claims 7 - 12 have been amended to depend from independent and allowable claim 2. As a result, Applicants submit that the instant rejection is now moot, and claims 7 - 12 are allowable.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claims 7 - 12 under 35 U.S.C. § 103(a) and indicate that these claims are allowable.

2. Over Plyler in view of Ampulski and Stigberg

Applicants traverse the rejection of claims 32 - 35 under 35 U.S.C. § 103(a) as being unpatentable over PLYLER in view of AMPULSKI et al. (U.S. Patent No. 6,251,331) [hereinafter “AMPULSKI”] and STIGBERG (U.S. Patent No. 5,196,092). The Examiner asserts that, while disclosing a smooth belt, PLYLER fails to disclose grinding or scraping to form the smooth surface. The Examiner further asserts that AMPULSKI and STIGBERG disclose such features and that it would have been obvious to modify PLYLER to include

these features. Applicants traverse the Examiner's assertions.

In addition to the foregoing discussion of PLYLER, Applicants further note that PLYLER fails to teach or suggest, *inter alia*, forming a sheet from a *plurality of long-chain strength supports composed of a metallic material*, in which the sheet comprises a plurality of interstices disposed between the long-chain strength supports, and filling at least a portion of the interstices with a filler, whereby the *sheet is made fluid impermeable to form a sealing belt for a dryer device in a paper machine*, and *at least one surface of the sealing belt is formed to expose at least a portion of the metallic material*, as recited in at least independent claim 25.

Applicants note that neither AMPULSKI nor STIGBERG teach or suggest the subject matter noted above as deficient in PLYLER. That is, neither document teaches or suggests a plurality of long-chain strength supports composed of metallic material and/or the interstices disposed between the long-chain strength supports, as recited in at least independent claim 25. Moreover, neither of these documents teaches or suggests that a filler is utilized to make the sheet fluid impermeable *to form a sealing belt for a dryer device in a paper machine*, and to have *at least one surface of the sealing belt is formed to expose at least a portion of the metallic material*, as is recited in claim 25, as now amended.

In this regard, Applicants note that AMPULSKI discloses a mesh fabric belt, which certainly fails to suggest a sealing belt, as recited in at least independent claim 25, and the

exposed threads of STIGBERG are monofilament yarns of synthetic polymeric resin, which certainly fails to teach or suggest the recited exposed metallic material on at least one surface of the sealing belt, as is also recited in at least independent claim 25.

Because none of the applied documents teach or suggest the above-noted features of the instant invention, Applicants submit that no proper combination of these documents can render unpatentable the present invention.

Further, Applicants submit that claims 32 - 35 are allowable at least for the reason that these claims depend from an allowable base claim and because these claims recite additional features that further define the invention. In particular, Applicants submit that no proper combination of PLYLER, AMPULSKI, and STIGBERG teaches or suggests, *inter alia*, the smoothing comprises treating the at least one surface to remove a portion of the filler, as recited in claim 32; the treating comprises grinding the at least one surface, as recited in claim 33; scraping at least one surface of the sheet after filling the sheet, as recited in claim 34; the scraping comprises removing a portion of the filler from the at least one surface, as recited in claim 35.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claims 32 - 35 under 35 U.S.C. § 103(a) and indicate that these claims are allowable.

Application is Allowable

Thus, Applicants respectfully submit that each and every pending claim of the present invention meets the requirements for patentability under 35 U.S.C. §§ 102 and 103, and respectfully request the Examiner to indicate allowance of each and every pending claim of the present invention.

Comments on the Examiner's Reasons for Allowance

In response to the Examiner's Reasons for Allowance in the instant Office Action, Applicants wish to clarify the record with respect to the basis for the patentability of the claims in the present application.

In particular, while not disagreeing with the Examiner's indication that certain identified features are not disclosed by the references of record, Applicants further wish to clarify that the claims in the present application recite a combination of features, and the basis for patentability of these claims is based upon the totality of the features recited therein.

Authorization to Charge Deposit Account

If for any reason a check including the amount for any necessary fees is not associated with this file, the Commissioner is authorized to charge to Deposit Account No. 19 - 0089 the amounts identified herein for the missing check, as well as any necessary fees not explicitly identified, including any extensions of time fees required to place the application in condition for allowance by Examiner's Amendment, in order to maintain pendency of this application.

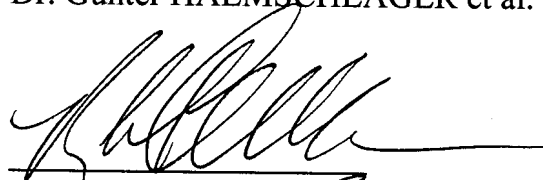
CONCLUSION

In view of the foregoing, it is submitted that none of the references of record, either taken alone or in any proper combination thereof, anticipate or render obvious the Applicants' invention, as recited in each of claims 2 - 13, 15 - 27, and 29 - 44. The applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

Respectfully submitted,
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